Hill Data Confirmed By FBI

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The Federal Bureau of Investigation yesterday confirmed that its files contain information on the personal lives of senators and congressmen, United Press International reported.

Responding to a story in Sunday's Editions of The Washington Post, the FBI spokesman was quoted as saying the information includes reports on the loyalty, character, and reputation of members of Congress.

The spokesman said the information is not placed in an individual congressman's file until it is needed. However, the information is readily available through an index system, he said.

There are no actual dossiers on members of Congress, a spokesman told UPI, but there is an index card system, which can be used to locate the various files containing references to an individual.

The same kind of information is gathered on other citizens and is located through the same index system, he added.

The FBI declined to answer any questions from The Washington Post.

Although FBI officials have denied that information from the files is leaked to the press or public, the son of the late House Majority Leader Hale Boggs has told The Post that the FBI leaked to his father damaging material on the personal lives of critics of its investigation into John F. Kennedy's assassination.

Thomas Hale Boggs Jr. said his father, who was a member of the Warren Commission, which investigated the assas-

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sination and its handling by the FBI, was given the material in an apparent attempt to discredit the critics.

The material, which Thomas Boggs made available, includes photographs of sexual activity and reports on alleged Communist affiliations of some authors of articles and books on the assassination.

Boggs, a Washington lawyer, said the experience played a large role in his father's decision to publicly charge the FBI with Gestapo tactics in a 1971 speech alleging the bureau had wiretapped his telephone and that of other congressmen.

"The impact on him was, if they had all this information on the critics, and gave it to him and went to all this trouble, what do they have on us [members of Congress]?" he said.

An FBI source confirmed the bureau had gathered such material from local police departments but said he did not know if it had been given out.

An FBI spokesman did not return telephone calls.

In other developments yesterday, John O. Marsh Jr., counselor to President Ford, said the President is "very much aware [of the charges that the FBI keeps files on congreessmen], and will express his concern about it."

Marsh said this concern will be expressed in concrete form in the near future.

The White House would not elaborate yesterday. However, a spokesman said the President is awaiting a report on the matter being prepared for the Justice Department by FBI Director Clarence M. Kelley.

A Justice Department spokesman said Deputy Attorney General Laurence H. Silberman will testify about the files Jan. 30 before the House Judiciary Committee's Civil Rights and Constitutional Rights Subcommittee, headed if.).
by Rep. Don Edwards (D-Calif.).

The spokesman said Attorney General William B. Saxbe welcomes such an investigation.

Both Saxbe andl former Attorney General Elliot L. Richardson said in television interviews yesterday morning they were not aware of the existance of FBI files or dossiers.

"I've looked into this," Saxbe said. "There is a certain amount of information that comes in from other cases . . . but as rar as having files and dossiers, that's not true," he said.

Saxbe could not be reached for additional comment yesterday.

Rep. John M. Slack, acting chairman of the Appropriations Committee's Justice Subcommittee, called the FBI practice outrageous and said his subcommittee had not appropriated money for investigating congressmen who are not alleged to have committed crimes.

Slack, who is expected to be named chairman of the subcommittee, said he would seek legislation to prohibit the FBI from engaging in such activities, and would insure the measure is followed when the bureau makes its budget requests.

The West Virginia Democrat said the files could be used for blackmail. If congressmen are informed of the contents of their files by the FBI, he said "it would be a way of getting a congressman under a club."

Slack has taken over from former Rep. John J. Rooney (D-N.Y.) as the head of the subcommittee.

House Speaker Carl Albert, who was named in The Washington Post story as being a subject of the FBI's information-gathering program, said Hoover had assured him in a letter there was no file on him.

"He said in no uncertain terms that it wasn't true," he said.

Sen. Jacob K. Javits (R-N.Y., said he originally ran for the Senate to seek vindication from a charge that he had been "mixed up" with a staff member of the Communist Party newspaper.

The charge was based on the allegation that Javits was named in an FBI file, he said.

Calling the practice shameful, Sen. Abraham A. Ribicoff (D-Conn.) said the FBI's time would be better spent combatting crime.

Sunday's story quoted two former high-ranking FBI officials as saying the bureau kept files containing information on the personal lives of congressmen and senators during Hoover's tenure.

The former officials said the data was kept in the general files of the FBI.

They said the information was not gathered as a result of surveillances of congressmen who were not under criminal investigation. Rather, they said, the data was placed in congressmen's files when it was volunteered by persons interviewed on unrelated matters.

The story quoted a senior FBI agent as saying the bureau continues to collect such information.

Yesterday, a former high-ranking FBI official in charge of record keeping said all persons referred to in FBI reports and files are indexed by name. When there is a need to see the information on an individual, he said, it is retrieved from scattered investigation files and placed in the individual's folder.

"If a person is in the index, he is in the files of the FBI," he said.